



**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

DWIGHT HARRISON,

Plaintiff,

§

§

§

v.

§

CASE NO. 1:06-CV-648

§

ALLSTATE TEXAS LLOYDS INC. CO.,

Defendants.

§

§

ORDER ADOPTING AND DISMISSAL

Pursuant to 28 U.S.C. § 636(b) and the Local Rules for the Eastern District of Texas, the Court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for determination of pre-trial matters and entry of findings of fact and recommended disposition on dispositive matters. On August 14, 2008, Judge Giblin entered a *Report and Recommendation* on the Plaintiff's previous request to stay this proceeding [Clerk's doc. #27]. In that report, Judge Giblin recommended that the Court deny the Plaintiff's request to stay his case and further recommended that the Plaintiff's claims be dismissed in their entirety for want of prosecution. Judge Giblin's findings and legal conclusions in support of this recommended disposition are set forth in detail in the *Report and Recommendation*.

On September 8, 2008, pursuant to a letter request by the Plaintiff, Judge Giblin granted the Plaintiff an extension of ninety (90) days to either respond to the Defendant's pending motion for summary judgment or otherwise act in furtherance of his claims to avoid dismissal for want of prosecution. Mr. Harrison has failed to file anything further in this case since that order issued, and his

deadline to do so expired December 8, 2008.

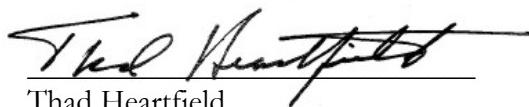
The Plaintiff has wholly failed to comply with the final deadline issued by Judge Giblin and has also failed to file specific objections to the magistrate judge's report recommending dismissal. Therefore, in accordance with 28 U.S.C. § 636(b)(1), the Court reviewed the magistrate's findings and the applicable law in this proceeding. After review, the Court finds that Judge Giblin's findings and recommendations should be accepted.

Accordingly, the *Report and Recommendation on Motion to Stay and Dismissal for Want of Prosecution* [Clerk's doc. #27] is **ADOPTED** by the Court. The factual findings and legal conclusions of the magistrate judge are therefore fully incorporated by the undersigned in support of this order.

The Court **ORDERS** that the Plaintiff's motion to stay [Clerk's doc. #26] is **DENIED**; and It is further **ORDERED** that the Plaintiff's claims filed in this cause are **DISMISSED** in their entirety, with prejudice, for want of prosecution.

All pending motions not addressed herein are **DENIED as MOOT** and the Court finally directs the Clerk of Court to close this civil action.

SIGNED this the **10** day of **December, 2008**.



Thad Heartfield
United States District Judge